

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 MATTHEW HOUSTON,

4 Plaintiff,

Case No. 2:19-cv-01371-JAD-DJA

ORDER

5 v.

6 JERRY HOWELL, *et al.*,

7 Defendants.  
8

9 **I. DISCUSSION**

10 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by  
11 an individual who has now been released from the custody of the Nevada Department of  
12 Corrections. On August 8, 2019, Plaintiff submitted an incomplete application to proceed  
13 *in forma pauperis* for prisoners. (ECF No. 1). Thereafter, on August 22, 2019 and  
14 September 19, 2019, Plaintiff submitted two additional incomplete applications to proceed  
15 *in forma pauperis* for prisoners. (ECF Nos. 4 and 8). In addition, on September 12, 2019,  
16 Plaintiff submitted a Motion to Extend Time for Continuation of Case. (ECF No. 7).

17 The Court now directs Plaintiff to file an application to proceed *in forma pauperis*  
18 by a non-prisoner within **thirty (30) days** from the date of this order or pay the full filing  
19 fee of \$400. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1) but will  
20 not file it until the matter of the payment of the filing fee is resolved.

21 **II. CONCLUSION**

22 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
23 *in forma pauperis* for prisoners (ECF No. 8) is DENIED as moot.

24 IT IS FURTHER ORDERED that Plaintiff's Motion to Extend Time for Continuation  
25 of Case (ECF No. 7) is DENIED as moot.

26 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
27 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the  
28 document entitled information and instructions for filing an *in forma pauperis* application.

1 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
2 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for  
3 non-prisoners; or (2) pay the full filing fee of \$400.

4 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
5 dismissal of this action may result.

6 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint  
7 (ECF No. 1-1) but shall not file it at this time.

8 Dated this 25th day of September, 2019.

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11 UNITED STATES MAGISTRATE JUDGE